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S.B. CIVIL WRIT PETITION NO.4679/2005.
Raj Prakash Vs. The State of Rajasthan & Ors.

Date of Order :: 29th August 2007.

HON'BLE MR. JUSTICE DINESH MAHESHWARI

Mr. R.D. Potalia, for the petitioner.
Mr. S.M. Toshniwal for
Mr. N.M. Lodha, AAG]
Mr. Tarun Joshi], for the respondents.

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Though the matter has been listed in default category, there appears no purpose to continue with this writ petition inasmuch as the issue involved herein has been concluded by the decision of this Court in S.B.Civil Writ Petition No.1817/2007 – Parmeshwar Patidar & Ors. Vs. State of Rajasthan & Ors., decided on 04.07.2007.

It is an admitted position that the petitioner has passed his B.Ed. Examination on 20.05.2005; whereas the result of the selection test in question had been declared by R.P.S.C. On 05.01.2005. Admittedly, the petitioner has not acquired the requisite qualification before the cut off date provided by the respondents, i.e., the date of declaration of the result; and is not entitled for any relief in this writ petition.

The submission as made on behalf of the petitioner with reference to the press-note dated 22.07.2005 (Annex.9) is fundamentally misconceived. The said press-note is meant for

and refers to the selected candidates whose applications were pending for want of depositing certain certificates/ degrees. The said press-note does not relate to the petitioner who had not acquired qualification by the cut-off date. The said press-note could only relate to such persons who were otherwise eligible but for any reason had not been able to submit the necessary credentials for finalisation of their selection. The said press-note cannot be read as a relaxation of the requirement of the condition of acquiring qualification by the cut-off date, i.e. 05.01.2005.

The writ petition fails and is, therefore, dismissed.

(DINESH MAHESHWARI), J.

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